

COMMISSION ON JUDICIAL PERFORMANCE  
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FOR RELEASE  
November 10, 2010

JUDICIAL PERFORMANCE COMMISSION ISSUES  
DECISION AND ORDER IMPOSING PUBLIC CENSURE  
OF JUDGE DEANN M. SALCIDO  
PURSUANT TO STIPULATION

The Commission on Judicial Performance has issued a Decision and Order of Public Censure of Judge DeAnn M. Salcido of the San Diego County Superior Court pursuant to stipulation (Commission Rule 127). Following the filing of a Notice of Formal Proceedings, Judge Salcido, through her counsel, and the examiner for the commission proposed a Stipulation for Discipline by Consent (Stipulation) pursuant to Commission Rule 127(b). The Decision and Order Imposing Public Censure is issued pursuant to that Stipulation which was approved by the commission.

In exchange for Judge Salcido's agreement to resign from the bench within five days and not to seek or hold judicial office or seek or accept judicial assignment, appointment or reference of work from any California state court at any time in the future, the commission resolved this matter by imposition of a public censure. The judge admitted engaging in thirty-nine separate instances of prejudicial misconduct which the commission determined could not be characterized as isolated instances of misconduct but rather "a pattern of misconduct which demonstrates a temperament ill-suited for judicial office." The commission found that the judge's misconduct in some instances made a mockery of the judicial system, such as when she used her court proceedings as an audition for her own television entertainment program, giving the unseemly impression of playing to the audience and the cameras. Together with her statement to the producer that she would line up her most interesting cases for the day of filming, Judge Salcido created the appearance that she was more interested in promoting herself for a role in a television show than in delivering justice to those appearing before her.

The judge's lewd comments to defendants, particularly joking about the possibility of an inmate having to endure same gender rape while incarcerated, "may be perceived as not only an indifference to and acceptance of a tragic reality in our criminal justice system, but as a perhaps unintended admission of its inevitability under present conditions." The judge's brand of

“humor,” which included ridiculing and belittling litigants, court staff, a deputy district attorney and a public defender appearing before her, was found, “without question,” unfitting for a judge. “Judicial humor should never be used in a courtroom, as it was by Judge Salcido, to ridicule, embarrass or disparage others, or in a manner that diminishes the dignity of the judicial process.” The commission concluded, “Judges are expected to administer justice and resolve serious issues, not to provide entertainment. Judge Salcido’s misconduct cheapens the dignity of the court and undermines public confidence in and respect for the judicial system.”

Judge Salcido’s misconduct also includes abuse of authority and embroilment through her incarceration of a defendant for direct contempt without affording the defendant due process or complying with the requisite legal procedures notwithstanding the repeated emphasis given by the Supreme Court and the commission to the importance of strict adherence to statutory and constitutional procedural requirements. Based on the totality of the judge’s misconduct, the commission concluded that the stipulated disposition, including the judge’s agreement to resign and not thereafter hold judicial office or accept judicial assignment, is in the best interest of the public and the reputation of the judiciary.

The decision and order is available on the commission’s Web site at [www.cjp.ca.gov](http://www.cjp.ca.gov) (under “Press Releases” and “Public Discipline – 1960 to Present”) and at the commission’s office.

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The Commission is composed of three judges, two lawyers, and six public members. The Chairperson is the Hon. Judith D. McConnell of the Court of Appeal, Fourth Appellate District, in San Diego, California. Justice McConnell was recused in this matter. The Honorable Katherine Feinstein presided.

For further information about the Commission on Judicial Performance, see the commission’s Web site.